



Docket No. 559442001400  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Steve Reynolds et al.

Application No. 09/818,052

Confirmation No: 9179

Filed: March 27, 2001

Art Unit: 2623

For: SYSTEM AND METHOD FOR LOCAL META  
DATA INSERTION

Examiner: Christopher M. Lambrecht

**RESPONSE UNDER 37 CFR 1.111**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Action dated April 19, 2006, please consider the following Remarks.

**REMARKS**

Claims 1-56 stand variously rejected under 35 USC 102(e) and 103(a) on Del Sesto (WO 01/58159). Applicants respectfully traverse the rejections based on Del Sesto's failure to qualify as prior art under either 102(e) or 103(a).

Applicants have claimed priority to U.S. Provisional Application No. 60/193,470, and are therefore entitled to an effective filing date of March 31, 2000, (paragraph [0001]). Del Sesto, which does not designate the United States as a designated state, was filed on February 2, 2001, and did not publish until August 9, 2001. Consequently, as shown by Chart II, MPEP 706.02(f)(1), Del Sesto would only qualify as prior art as of its publication date, August 9, 2001, which is after

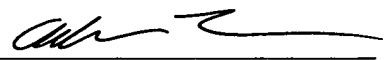
applicants' effective filing date of March 31, 2000. Accordingly, Del Sesto does not qualify as prior art and claims 1-56 are therefore allowable.

Applicants solicit an early action allowing the claims.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **559442001400**.

Dated: October 19, 2006

Respectfully submitted,

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